

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

<b>DONALD FRANKS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CASE NO.: 2:07CV352-MEF</b>
	)	
<b>UNIFUND CCR PARTNERS,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANT'S MOTION TO EXTEND  
DISPOSITIVE MOTION DEADLINE**

**Unifund CCR Partners** ("Defendant") moves this Court for an extension of the dispositive motion deadline in this case. In support of this motion, Defendant states as follows:

1. The dispositive motion deadline is November 2, 2007.
2. Defendant served discovery requests on Plaintiff on September 17, 2007. Plaintiff's counsel then requested until November 5, 2007, to provide responses to the discovery requests. The undersigned agreed to the extension without realizing that the dispositive motion deadline fell on November 2, 2007.
3. Defendant needs the discovery responses in order to determine whether certain facts are undisputed and whether a dispositive motion is warranted.
4. A brief extension to November 30, 2007, would allow the parties to file dispositive motions approximately 9 weeks before the January 31, 2008, pretrial hearing, and would not disturb the remaining deadlines in the Court's scheduling order.
5. Defendant attempted to reach Plaintiff's counsel by telephone to discuss this motion but was unsuccessful and, therefore, cannot represent to the Court whether the Plaintiff consents to or opposes this motion.

Respectfully submitted on this 1<sup>st</sup> day of November, 2007.

/s/ Angela R. Rogers

Chris Hawkins

BRADLEY ARANT ROSE & WHITE LLP

One Federal Place

1819 Fifth Avenue North

Birmingham, Alabama 35203

Phone: (205) 521-8000

Fax: (205) 521-8800

-and-

Robert E. Poundstone, IV

Angela R. Rogers

BRADLEY ARANT ROSE & WHITE LLP

The Alabama Center for Commerce

401 Adams Avenue, Suite 780

Montgomery, Alabama 36104

Phone: (334) 956-7700

Fax: (334) 956-7701

CERTIFICATE OF SERVICE

I hereby certify that on November 01, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Edward M. Wayland, Esq.

Post Office Box 17

Montgomery, Alabama 36101

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: Not applicable.

s/ Angela R. Rogers

Angela R. Rogers (RAI017)

Bradley Arant Rose & White LLP

The Alabama Center for Commerce

401 Adams Avenue, Suite 780

Montgomery, AL 36104

Telephone: (334) 956-7700

Facsimile: (334) 956-7701

E-mail: arogers@bradleyarant.com